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NANCY JOHNSON

PTO/SB/81 (10-05)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

First Named Inventor: JAMES E. BELL, JR. DE BELL

Art Unit:

Application Number:

Examiner: KENT BELL

Filed:

Title:

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ _____ (37 CFR 1.17(f)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(f)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of _____ (Identify the type of reply):

- ☐ has been filed previously on _____
- ☐ is enclosed herewith.

B The issue fee of \$ _____

- ☐ has been filed previously on _____
- ☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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ENCLOSURE (4)
page ① of 2.

UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

Received July 11th 2004

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

BELL

ART UNIT	PAPER
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1661

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DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Please find attached U.S. Plant Patent 12,712.

PTO-500 (Rev. 04-03)

ENCLOSURE (6)

Water Meadow Nursery & Herb Farm.

Cheriton. Alresford. Hampshire SO24 0QB.

Tel: +44 (0)1962 771895. Fax: 01962 771895.

email: plantaholic@onetel.net.uk Web site www.plantaholic.co.ukENCLOSURE (5)
page ② of 2.

US00PP12712P2

APPLICANT:

2/5 pac

(12) United States Plant Patent
Oodshoorn(10) Patent No.: US PP12,712 P2
(45) Date of Patent: Jun. 18, 2002

(34) PAPAVER PLANT NAMED 'PINK RUFFLES'
(75) Inventor: Herbert Oodshoorn, Rypswatering (NL)
(73) Assignee: Nature Plants V.O.F., Noordwijk (NL)
(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 35 days.
(21) Appl. No.: 09/624,465
(22) Filed: Jul. 24, 2000
(51) Int. Cl.: A61H 3/00

(52) U.S. Cl. PH/263
(58) Field of Search PH/263
Primary Examiner—Bruce R. Campbell
Assistant Examiner—Michelle Kimbaya
(74) Attorney, Agent, or Firm—C. A. Welsky
(57) ABSTRACT

A distinct cultivar of Papaver plant named 'Pink Ruffles', characterized by its upright and compact plant habit; dark green leaves; viscous growth habit; freely flowering habit; and pink petals with fringed margins.

2 Drawing Sheets

1

BACKGROUND OF THE INVENTION

The present invention relates to a new and distinct cultivar of Papaver plant, botanically known as *Papaver orientale* L., commercially referred to as Oriental Poppy, and hereinafter referred to by the cultivar name Pink Ruffles.

2

4. Plants of the new Papaver are more freely flowering than plants of the cultivar Garden Glory.

5. Petals of the new Papaver have fringed margins whereas petals of the cultivar Garden Glory have entire margins.

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Serial Number: 10/619,411
Art Unit: 1661

Page 13

Detailed Action**Comments**

(not included
with this document
SMWalt)

Applicant should review the attached U.S. Plant Patent (U.S. Plant Patent 12,712) and use
it as a guide for writing future U.S. Plant Patent applications. This is a typical U.S. Plant Patent
for this market class and shows the botanical characteristics typically set forth for this type of
plant. This U.S. Plant Patent further shows the arrangement of a typical specification:

Applicant should note the new amendment format which is now mandatory (Web site
stated below).

<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/revamdtprac.htm> (not working!)

Applicant should send all correspondence to the following address:

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Future Correspondence

Any inquiry concerning this communication or earlier communications from the Examiner
should be directed to Kent L. Bell whose telephone number is (571) 272-0973. The Examiner
can normally be reached Monday through Thursday from 6:00 am to 4:30 pm. ~~not there~~

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's
supervisor, Bruce Campbell, can be reached at (571) 272-0974. ~~not there~~

The fax phone number for the group is (571) 272-1600. ~~not working~~

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703) 308-0196. ~~not in service~~

K. L. Bell

Try this fax
from general enquiries desk.

FAX NO - 703-872-9306

KENT BELL
PRIMARY EXAMINER

Kent Bell